



**UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/068,278 07/09/98 LOCHER

B ROSS11-PC/P

EXAMINER

QM32/0227

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ART UNIT

PAPER NUMBER

3722

DATE MAILED:

02/27/01

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/068,278

Applicant(s)

LOCHER ET AL.

Examiner

Erica D. Ergenbright

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-130 is/are pending in the application.
- 4a) Of the above claim(s) 50-74, 83, 86, 91-99, 114, 119, 124 and 126-130 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39-49, 75-82, 84-85, 87-90, 100-113, 115-118, 120-123, and 125 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 1998 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13 & 14.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☒ Other: *See Continuation Sheet*.

Continuation of 20. Other: Copy of declaration, copy of transmittal letter, copy of fee sheet, copy of Notification of Acceptance of App. under 371.

DETAILED ACTION

Faxing of Responses to Office Actions

1. In order to reduce pendency and avoid potential delays, TC 3700 is encouraging FAXing of responses to Office Actions directly into the Group at (703) 305-3579. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into TC 3700 will be promptly forwarded to the examiner.

Election/Restrictions

2. In the office action mailed June 23, 2000, the restriction requirement was made final. Therefore, the non-elected claims were withdrawn from consideration. It is thus improper for applicant to amend the non-elected claims, and consequently, applicant's amendment to claims 50-59, 61-64, 66-67, 69-74, 83, and 86 was improper and must be corrected. Note that these claims (50-59, 61-64, 66-67, 69-74, 83, and 86) are still withdrawn from consideration. Additionally, newly submitted claim 119 improperly depends from an improperly amended non-elected claim and is thus withdrawn from consideration.

3. Additionally, newly submitted claims 91-99, 114, 124, and 126-130 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: they do not contain the special technical feature of the positioner that relatively positions the tool support in a direction perpendicular to the cable path, which is the special technical feature of the elected group I claims (originally claims 39-49, 75-82, 84, 85, and 87). Additionally, newly submitted claim 88 contains the alternative limitation in lines 2-3 "a

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positioner that relatively positions the tool support or a cable". The first portion of this alternative limitation ("the tool support" portion) does contain the special technical feature of the elected group of claims. However, the second portion of this alternative limitation ("or a cable") does not contain the special technical feature of the elected group of claims.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 91-99, 114, 124, and 126-130 are withdrawn from consideration as being directed to a non-elected invention. Also accordingly, the alternative limitation of claim 88 that does not include the special technical feature of the elected group as described above and all claims which depend therefrom that do not include the special technical feature of the elected group as described above, are withdrawn from consideration. With respect to claim 88, the alternative limitation not including the special technical feature of the elected group should be cancelled from the claim. See 37 CFR 1.142(b) and MPEP § 821.03.

For purposes of clarity, claims 39-130 are pending in this application. Claims 50-74, 83, 86, 91-99, 114, 119, 124, and 126-130 are withdrawn from consideration. Claims 88 and all claims depending therefrom that haven't already been completely withdrawn from consideration (specifically, claims 39-49, 75-82, 84, 85, 87, 89, 90, 100-113, 115-118, 120-123, and 125) are being considered in part, i.e., to the extent that they include the special technical feature of the elected group of claims.

Oath/Declaration

4. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: it improperly claims priority under 35 U.S.C. 120 to PCT/EP97/05216. The claim under 35 U.S.C. 120 is improper because the application was filed as a national stage application under 35 U.S.C. 371 (see MPEP §§ 1893.03(a) and 1896), and thus was not filed under 35 U.S.C. 111(a). Note that the application was identified in the transmittal letter (a copy of which is attached) as a "PCT entering the national stage", and states "This is a first submission of items concerning a filing under 35 U.S.C. 371". Additionally, applicant received paper no. 6 in July of 1999 (nearly a year prior to receiving the written restriction by the PTO), which is the "Notification of Acceptance of Application under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495", and also our records show (per the attached "RAM Fee History" sheet) that applicant authorized a charge to a deposit account for filing entry into the national stage as filed with and EPO or JPO search report.

Drawings

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "group of cable processing tools" consisting of "crimping tools, twisting tools, punching tools, clamping tools, marking apparatuses and grinders" of claim 43 and the group of "insulation stripping station, a sawing station, a cutting station, a twisting station, a shaping station, a crimping station, a soldering

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station, a cable processing station, and a manipulator” of claim 101 must each be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

6. Note also that the Form PTO-948 (Notice of Draftsperson’s Patent Drawing Review) that was an attachment to paper number 12 objected to the drawings because of the German captions.

7. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Specification

8. The disclosure is objected to because of the following informalities: the disclosure is replete with instances where it refers to the claims by number. Applicant is required to amend the specification to remove these references and to incorporate into the disclosure the subject matter of these claims that is necessary to the understanding of the invention.

Appropriate correction is required.

Response to Amendment

9. In amended claim 76, line 6, there is a beginning bracket. It appears that the ending bracket that matches this beginning bracket is found in the last line of the claim, indicating that all text and characters therebetween should be deleted. However, applicant has also amended the text that appears as though it should be deleted, rendering applicant’s intentions unclear. For purposes of examination, the examiner is considering the claim as though the text between these indicated brackets has been deleted.

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Claim Objections

10. Claim 76 is objected to because of the following informalities: in line 5, --an—should be inserted prior to “immediate”.

11. Claim 82 is objected to because of the following informalities: in line 3, there is a beginning parenthesis that does not have a mating ending parenthesis. Appropriate correction is required.

12. Claim 87 is objected to because of the following informalities: in line 4, --said—or —the—should be inserted prior to “gripping”. Appropriate correction is required.

13. Claims 39, 44, 82, 84, 89, are objected to because of the following informalities: “the” or “said transport path” should be —the-- or —said first transport path—to be consistent with claim 39, line 5.

14. Claim 102 is objected to because of the following informalities: the comma in line 2 should be deleted. Appropriate correction is required.

15. Claim 106 is objected to because of the following informalities: in line 2, the comma should be deleted. Appropriate correction is required.

16. Claim 109 is objected to because of the following informalities: in line 3, the first comma should be deleted. Appropriate correction is required.

17. Claim 109 is objected to because of the following informalities: in line 4, --an—should be inserted prior to “immediate”.

18. Claim 125 is objected to because of the following informalities: in lines 1-2, “continuous cable processing apparatus” lacks a modifying article (i.e., “a”, “the”, or “said”, as appropriate).

Claim Rejections - 35 USC § 112

19. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

20. Claims 107 and 111-113 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, the specification as originally filed does not appear to support that a transporter is connected to either of a blade station or a tool support via a common motor-controlled actuator such that a transverse adjustment of one transporter results in “diametrically opposite” transverse adjustment of one of a blade station and the tool support as claimed in claim 107. Additionally, the specification as originally filed does not appear to support a process including both the step of coupling a blade drive with a clamping drive for a clamping and centering apparatus and the step of separating the clamping drive from the blade drive as set forth in claim 111. Ordinarily, these claims would not be further considered with respect to the prior art. However, in the interest of furthering patent prosecution, Examiner is considering these claims to the extent possible with respect to the prior art.

21. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

22. Claims 39-49, 75-82, 84, 85, 87, 88-90, 100-113, 115-118, 120-123, and 125 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out

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and distinctly claim the subject matter which applicant regards as the invention. Claims 39-49, 75-82, 84, 85, 87, 88-90, 100-113, 115-118, 120-123, and 125 are replete with instances that do not particularly point out and distinctly claim the subject matter of applicant's invention.

Examples of these instances are listed below, but these instances are not limited to the listed examples. Applicant is advised to closely review the claims for other occurrences.

There are several positively recited limitations that lack sufficient antecedent bases in the claims. The following list of examples is not meant to be all-inclusive. Examples of these instances are: "the tool support" in claim 88, line 2; "the working direction" in claim 88, line 3; "the tool" in claim 88, line 3; "this positioning" in claim 88, line 4. Note that many of the other claims which are being rejected under 112, second paragraph have similar instances (lacking sufficient antecedent basis), particularly claims 40, 75-77, 79, 81, 82, 85, 100, 102-105, 107-109, 113, 116-118, and 123.

In claim 40, it is unclear how the upper and lower positions of the tools "can be combined" as claimed.

In claim 44, it is unclear what is meant by "said pair of tool supports of said pair of tool supports".

In claim 77, it is unclear what "each" in line 3 is referring to.

In claims 78 and 116, it is unclear what is meant by "one tangential plane each of a cable" and also by "can be closed to zero", and by "at an edge with a cable sheath, depending on cable diameter".

The term "substantial" in claim 81 is a relative term which renders the claim indefinite. The term "substantial" is not defined by the claim, the specification does not provide a standard

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for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim 76 is directed to a process. Claim 77 depends from claim 76, but the preamble states "The apparatus as claimed in claim 76", rendering it unclear what claim 77 is supposed to be directed to. Additionally, claim 110 sets forth a "process for stripping insulation of a cable as claimed in claim 77, rendering it unclear what claim 110 is supposed to be directed to.

In claim 100, it is unclear how a "further" processing station can be claimed as no processing stations have been previously claimed. It is similarly unclear in claim 104 what constitutes a "further processing station".

In claim 102, it is unclear as claimed whether the "at least one transporter" is in addition to or is the same as the "one or more transporters" set forth in claim 100. A similar situation exists in claims 103, 106, and 107.

In claims 106 and 107, it is unclear in this instance what constitutes "diametrically opposite". Note that no diameter has been defined.

Claim 113 is unclear, firstly because "non-rotating" is not a verb, and secondly because it is unclear what is meant by "closest to said blade with said blade", particularly in light of the fact that it is unclear what blade constitutes "the blade".

In claim 120, the preamble sets forth a "continuous cable insulation stripping apparatus having a first and a second belt drive for a cable feed, as claimed in claim 88". However, no such drives were claimed in claim 88.

In claim 120, it is unclear as claimed whether the "gripping apparatus" of line 4 is the same "gripping apparatus of line 2.

It appears that in claim 121, line 2, "support tool" should be --tool support--.

It is unclear as claimed in claim 123 whether "at least one tool support" as claimed in line 1 is the same "at least one tool support" of claim 88.

Claim Rejections - 35 USC § 102

23. Claims 88, 39-46, 89, 90, 84, 117, and 123, as best understood, are rejected under 35 U.S.C. 102(a) as being anticipated by Japanese Patent No. 09-046844 (Tomoji). Tomoji discloses the claimed invention comprising: a pair of tool supports (not numbered, but attached to the bottoms of supporting bodies 4, 4'), at least two tools 7 in pairs 7A-7D (see Figure 2), and a tool support feed 3 above a first transport path (not numbered but coincident with 8), along which a cable/wire 8 is inserted in a feed direction, wherein the tool support feed 3 is formed for a controlled lateral drive along moving rails 5, 5' (see Figure 2 and abstract, lines 4-5 of the "Solution" section) for controlled sideward movement of the tool supports. Note that rails 5, 5' are perpendicular to the vertical (as viewed in Figure 2) working direction of the tools. Also note, with respect to claim 88, that the lateral positioning of the tool support can be controlled to any number of desired positions along rails 5, 5'. With respect to claims 90 and 40, Tomoji also discloses separate tool support feeds 3, 3' coordinated with each of the tool supports (see Figure 2 and abstract, line 5 of the "Solution" section that teaches selective movement). With respect to claim 41, the tool supports are both ultimately connected to the part shown in Figure 2 as element 2, and "can" be displaced together with this common support part. With respect to claim 42, note that the pairs of tools (first pair 7B, 7D; second pair 7A, 7C as shown in Figure 2) are arranged laterally with respect to the wire feed direction, and that the tools or knives 7A-7D are cable processing tools (see entire Abstract). With respect to claim 43, it is noted that blades are

cutting tools. With respect to claim 89, the tool supports are “adjustable” toward and away from the path of the wire 8 both vertically (as viewed in Figure 2) and horizontally (as viewed in Figure 2) along rails 5, 5'. With respect to claims 84 and 117, as best understood, applicant is claiming that at least one from the list of (1) upper and lower roller, (2) continuous belts of a pair of rollers, (3) a pair of continuous belts, and (4) upper and lower tool holders, has each of the plurality of items (i.e., if item (1) is met, both the upper and the lower roller) displaceable as claimed. Tomoji teaches that both the upper and lower tool holders are displaceable transversely with respect to the transport path as described above (i.e., both vertically and horizontally as viewed in Figure 2). Note that if the upper tool holder was moved to the right (as viewed in Figure 2) along rail 5 and the lower tool holder was moved to the left (as viewed in Figure 2) along rail 5', a cable lying in between the tool holders could be twisted. With respect to claim 123, the tools 7A-7D, the supports, and the positioners are all within one “module” as viewed in Figure 2.

24. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

25. Claims 88, 39, 41-49, 75-79, 81, 84, 85, 89, 100-113, 115-118, and 121-123, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,879,926 (Wollermann et al.). Wollermann et al. teaches a wire insulation stripping apparatus (shown in Figure 1 as a whole) having programmable strippers 12 at workstations WS (see Figure 1 and column 9) for stripping the ends of wire segments 18 that are continuously fed via

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conveyor mechanism 11 (see Figure 1). Each workstation WS (there are two such workstations shown in Figure 1) has a turret 76 (Figures 1, 2, 7, 8). Each turret 76 has an upper sector 77B and a lower sector 77A (see Figures 2 and 10 specifically). Each of these sectors has a plurality of insulation cutting means such as 101A and 101B including knives such as 91A and 91B arranged in pairs (Figures 10, 7, and 2, and column 11, lines 27-44 and column 12, lines 1-19). The upper and lower sectors 77B and 77A constitute "tool supports". The turret 76 is rotated about the axis of shaft 43 by a drive means 90 that includes a step motor 92 (Figures 3 and 7 and column 11, lines 57-60). Note that control of the various drives taught by Wollermann are effected by a CPU (column 9, lines 20-24), and that a sensor is employed in conjunction with the CPU to signal a home position when a wire to be stripped is in position (column 16, lines 33-42). Also note that as the turret 76 is rotated, the tool supports 77A and B will be moved in a direction that is perpendicular to the working direction of the tools (as the tool working direction extends into the paper as viewed in Figure 1 and the direction of movement of the tool supports 77A and B is in the plane of the paper as viewed in Figure 1). Note that the embodiment shown in Figures 7 and 8 has six mounting portions 87, each of which can have a pair of blades mounted thereto, and that thus the supports can be controlled to at least six different positions. With respect to claim 39, note that the feed direction of the wire or cable 18 is vertically as shown in Figure 1, and that the bisecting centerline of each wire or cable 18 (would be vertical as shown in Figure 1) defines a "first transport path" as the wire or cable 18 is fed via the conveyor 11. With respect to claim 41, the upper and lower tool supports 77B and 77A are both mounted on shaft 43 for rotational movement therewith (column 11, lines 3-6 and 46-47). With respect to claim 44, the tool supports 77B and 77A have mounted thereon slide members 106B and 106A

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(Figures 10 and 4) which in turn have mounted thereon the blades 91B and 91A (Figures 4 and 10 and column 15, lines 11-12). Actuation of transducers 171A and 171B actuates the slide members 106B and 106A of the tool supports toward and away from one another, which is also toward and away from the first transport path (Figure 4 and column 15, lines 11-20). With respect to claim 46, note that the cable or wire 18 is fed between pairs of blades 91B and 91A (Figures 2-5). With respect to claims 75 and 108, note that the blades are mounted to a rotating turret 76 as described above, and that the axis of rotation of the turret extends along shaft 43 which is "along", i.e., beside or at hand to, the first transport path as set forth above. With respect to claims 76 and 109, the cable or wire 18 is held via gripping and guiding means 141 while being incised with the blades 91A, 91B (column 16, line 56 through column 17, line 1). As viewed in Figure 4, the gripping and guiding means 141 utilizes upper and lower gripping jaws 152 and 151 to grip the wire 18 on two sides thereof. As the gripping and guiding means 141 is guiding the wire to a desired position and then holding it there (note "gripping" and "guiding" means), it inherently holds the wire 18 in a "centered" manner. Also note that the gripping jaws 152 and 151 are in the immediate vicinity of the blades 91A and 91B (see Figure 4). With respect to claim 110, the blade and clamping drives are "coupled" via common control by the CPU. With respect to claim 111, as best understood, the clamping and blade drives are "separated" in that they do not function simultaneously (columns 16-17). With respect to claims 112 and 113, note that while the gripping jaws are holding the wire 18, they do not rotate. With respect to claim 77, note that a vertical plane that is in the plane of the paper as viewed in Figure 4 could intersect or contain both of the gripping jaws 152 and 151 such that they would "lie" in a plane, and that each jaw has a retaining surface (not labeled, but shown as approximately

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horizontal in Figure 4). Note that it is “possible” to close the jaws 152 and 151 to approximately zero cable diameter by pivoting them about pivot shafts 157 and 156 until the jaws meet (see Figure 4). With respect to claim 78, note that the gripping and guiding means 141 has a slide frame 142 that reciprocates in the direction of arrows 198 and 199 (see Figures 6 and 11 and column 14, lines 12-19), and that the gripping and guiding means 141 comprises set screws 158 and 159 that function as stops to vary the open spacing between the gripper jaws 152 and 151 (column 14, lines 29-37). Specifically regarding claim 79, the workstations WS include the blade turret 76 and the gripping and guiding means 141. The workstations WS each constitute “automatic processing modules”, and are “removably” mounted on the cable processing machine (shown as a whole in Figure 1), in that the workstations can or are “able” to be removed via removing machine bolts 26 (see column 9, lines 45-58 and Figures 2-4). Specifically regarding claim 81, jaws 152 and 151 are part of arms 149 and 148 which are shown in Figure 4 as “L-shaped”, and the jaws 152 and 151 each have a serrated gripping portion (column 14, lines 39-41) that covers a “substantial” axial range of a cable sheath and ends that project directly adjacent to the knives 91A and 91B (see Figure 4). With respect to claims 84 and 117, as best understood, applicant is claiming that at least one from the list of (1) upper and lower roller, (2) continuous belts of a pair of rollers, (3) a pair of continuous belts, and (4) upper and lower tool holders, has each of the plurality of items (i.e., if item (1) is met, both the upper and the lower roller) displaceable as claimed. Wollermann teaches that the slide members 106B and 106A (described above) are mounted on tool supports 77B and 77A for movement toward and away from one another, which is also toward and away from the first transport path (Figure 4 and column 15, lines 11-20). With respect to claims 85 and 118, note that the arms 148 and 149 can

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be “swiveled” downwardly and upwardly about pivot shafts 156 and 157. With respect to claim 100, note that the conveyor mechanism 11 is composed of two spaced apart conveyor units 16 and 17, one of which is stationary and one of which is laterally adjustable (column 9, lines 31-37) via movable carriage 31 (column 10, lines 43-55). As described above, the bisecting centerline of the wires 18 (would be vertical as viewed in Figure 1) describes a transport path. If the carriage 31 is moved in the direction of arrows 74A and 74B (Figure 7, column 10, lines 43-55, which is to the left or right as viewed in Figure 1), a different bisecting centerline would be defined, and thus a different transport path would be defined. With respect to the further processing station, as described above, there are plural stripper 12 workstations WS, and additionally, there are also terminal applying stations 19 (Figure 1 and column 9, lines 32-44) which could constitute any of the “shaping station”, the “crimping station”, or the “cable processing station” set forth in claim 101. With respect to claim 102, the carriage 31 is mounted in linear guideways 23 (column 9, lines 55-58) transversely to the transport paths as described above, and “can be” moved via a drive apparatus including step motor 58 (column 10, lines 43-52). Specifically regarding claim 103, as previously described, conveyor units 16 and 17 serve to transport the cable or wire 18, and could be considered with respect to this particular claim to be “transporters”, and as viewed in Figure 1, the conveyors 16 and 17 each extend vertically beyond the top and bottom (constituting the “both sides” claimed) of each of the stripping 12 stations WS. With respect to claims 104 and 105, the CPU controls all of the drives in prearranged sequences (column 9, lines 20-24). With respect to claim 107, note that the claim is not a method claim, and that Wollermann teaches the claimed apparatus structure of a transporter (the carriage 31 in this instance) that is connected to the blade station WS by the step motor 58

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that positions both the carriage 31 and the stripping device (i.e., the turret 76 and the gripping and guiding means 141) as the stripping device is attached to the carriage (column 10, lines 43-64). Note that the adjustment of carriage 31 could result in a "diametrically opposite" transverse "adjustment" of the stripping station WS as they can be moved relative to one another (column 10, lines 63-64). With respect to claim 115, note for example that the carriage 31 (which could be considered a transporter) has ultimately mounted thereon the knives 91A and 91B which are movable "symmetrically with respect to the transport path as described above. With respect to claim 106, note that the two conveyors 16 and 17 are also controlled by the CPU.

Claim Rejections - 35 USC § 103

26. Claims 87, 120, and 125, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,879,926 (Wollermann et al.) as applied to claims 88 and 39 above, and further in view of U.S. Patent No. 5,109,598 (Koch). Wollermann et al. teaches all aspects of the invention as claimed in claims 87, 120, and 125 as described in the above rejection based thereon, but does not teach that the cable drives 16 and 17 are belt drives. Koch teaches a driving system for clamping and driving a cable 18 utilizing a stationary belt drive 1 (Figures 1 and 2, column 4, lines 12-15) and a displaceable belt drive 2 (Figures 1 and 2 and column 4, lines 22-25). Koch's belt drives are coordinated with the cable-working (in this case, a stripper and terminal applicator) device (column 6, lines 4-25). In the cable driving devices 16 and 17 taught by Wollermann, very little detail is provided. Note that in Figure 4 of Wollermann, it appears that the wire or cable 18 is passed through an oversized bore in conveyor 17 so as to be conveyed thereby. This system, while allowing a variety of wire diameters to be used, does not provide for firm gripping of the wire 18 by the conveyor 17, which could lead to manufacturing error.

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Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have substituted each of the conveyors 16 and 17 taught by Wollermann et al. with first and second belt drives (for a total of four belt drives) as taught by Koch and to have coordinated the movement of these belt drives with the CPU taught by Wollermann et al. for the purpose of increasing manufacturing accuracy by providing that the transported wires are positively clamped by the conveyors.

Allowable Subject Matter

27. Claims 80 and 82, as best understood, would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Prior Art

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 5,950,505 and SU 1417091 teach rotatable cutters. JP.403293916 teaches computer control. SU 1272386 teaches transversely movable clamps. EP 275630 teaches a pivoting guide. U.S. Patent No. 5,526,717 teaches multiple tools mounted side-by-side.

Response to Arguments

29. Applicant's arguments with respect to the Tomoji reference (Japanese Patent Document 09046844) filed November 22, 2000 have been fully considered but they are not persuasive. Specifically, applicant alleges that the Tomoji reference is not prior art under 35 USC 102(a) because the pending application has priority from Swiss-application 3235/95 of November 6, 1995 and PCT application PCT/EP96/04790 of November 4, 1996, which applicant further

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alleges that these priorities were properly requested (see page 20 of applicant's arguments).

Examiner can find no reference to these priorities being properly requested (note the attached copy of applicant's declaration), much less perfected. Thus, the Tomoji reference is prior art under 35 USC 102(a).

30. Applicant's arguments with respect to claims 39-130 have been considered but are moot in view of the new ground(s) of rejection and/or the grounds for restriction described above.

Conclusion

31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erica D. Ergenbright whose telephone number is (703) 308-6395. The examiner can normally be reached on M-F, 7:30 a.m. to 5:00 p.m., alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (703) 308-2159. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-3579 for regular communications and (703) 308-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

EE

ee

February 23, 2001

A. L. Wellington
A. L. WELLINGTON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700